

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

GRADUAL TAYLOR :  
:   
Plaintiff, :  
vs. : Case No. C-1-02-446  
: (Judge H. J. Weber)  
CHERYL HART, P767, et al. :  
:   
Defendants. :  
- - - - -

Deposition of: GRADUAL TAYLOR

Taken: By the Defendants

Date: Tuesday, November 28, 2006

Time: Commencing at 2:00 PM

Place: City of Cincinnati Law  
Department  
Room 214 City Hall  
801 Plum Street  
Cincinnati, Ohio 45202

Before: Luke T. Lavin, RDR, CRR  
Notary Public - State of Ohio

ORIGINAL

APPEARANCES:

On behalf of the Plaintiff:

Gradual Taylor (pro se)  
8283 Carroll Avenue  
Cincinnati, Ohio 45231

On behalf of the Defendants:

Richard Ganulin  
Assistant City Solicitor  
City of Cincinnati Law Department  
214 City Hall  
801 Plum Street  
Cincinnati, Ohio 45202

Kimberly A. Rutowski, Esq.  
Hardin, Lefton, Lazarus & Marks  
915 Cincinnati Club Building  
30 Garfield Place  
Cincinnati, Ohio 45202-4322  
Phone: (513) 721-7300

Also present:

Cheryl Hart.

- - -

I N D E X

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GRADUAL TAYLOR

being by me first duly cautioned and sworn, deposes  
and says as follows:

CROSS-EXAMINATION

BY MR. GANULIN:

Q. Please state your name and address.

A. My name is Gradual Taylor. I live at  
8283 Carroll Avenue in Cincinnati, Ohio.

Q. And, Mr. Taylor, you're the plaintiff,  
are you not, in a lawsuit entitled Gradual Taylor  
versus Cheryl Hart?

A. Yes, I am.

Q. It's pending in the United States  
District Court. Is that correct?

A. As far as I know. I don't have my  
paperwork in front of me.

Q. Okay. Have you ever had your depo-  
sition taken before?

A. No.

Q. Okay.

A. I don't believe so.

Q. Okay.

A. Not to my -- you know, I don't believe  
so. Like I've had to have testimony taken from me  
for situations that have happened to me like in --

1 once my house was burglarized and that. So I'm  
2 trying to answer correctly. I hope I am.

3 Q. Okay. I just want you to understand  
4 you're giving sworn testimony today the same as if  
5 you were giving sworn testimony in court.

6 A. Yes.

7 Q. And this is subject to the laws of  
8 perjury.

9 A. Yes.

10 Q. You understand that?

11 A. Yes.

12 Q. And if you don't understand any ques-  
13 tions that I'm asking, I'm Richard Ganulin on behalf  
14 of the City of Cincinnati.

15 A. Uh-huh.

16 Q. The other lawyer here is Kim Rutowski.  
17 She represents Ms. Hart, also, as I do, and she also  
18 represents the Fraternal Order of Police, the police  
19 union. And this is Police Officer Hart, who you have  
20 sued in this case.

21 A. Yes.

22 Q. You recall you filed a handwritten  
23 Complaint?

24 A. Yes, sir, I did.

25 Q. Okay. And what I need you to start

1 doing today is tell us in as much detail as you can  
2 what transpired on the night in question that led to  
3 your arrest.

4 A. I will do the best I can. It's  
5 been -- what is it? -- like seven years; six years,  
6 seven, something like that.

7 Q. I think you filed your lawsuit in  
8 2002, if I'm not mistaken.

9 A. But you're asking me about something  
10 that happened seven years ago. Okay? I'll do the  
11 best that I can. And I might get things a little out  
12 of order. I'll try to keep it the best I can.

13 How would you like me to begin?

14 Q. Well, on the night in question --

15 A. Okay.

16 Q. -- you were in your car, were you not?

17 A. Yes.

18 Q. And you observed Officer Hart, did you  
19 not?

20 A. Yes, uh-huh.

21 Q. Why don't you take it from there. I  
22 need to hear your version of what occurred that  
23 night.

24 A. First of all, it was not at night. It  
25 was in broad daylight. It was like 1:30 or 2:00 in

1 the day, I believe, that type of -- that time.

2 Q. Okay. What part of town?

3 A. What is the name of that? I don't  
4 know the name of the streets or anything, but it's --

5 Q. Over the Rhine area of Cincinnati?

6 A. I don't know whether they still con-  
7 sider that -- don't they consider like Mohawk or  
8 something like that?

9 Q. Okay.

10 A. I'm not sure. I think.

11 Q. Okay.

12 A. Okay. Now, you have to --

13 Q. What were you doing there at that  
14 point in time?

15 A. Okay. In order to tell these things,  
16 there are some things that kind of lead up to it, and  
17 so I'll do my best to keep it short.

18 I, at the time -- I'm like the oldest  
19 son in Cincinnati, and my father is in a nursing  
20 home. My mother was in and out of a nursing home,  
21 between a hospital and the nursing home beginning to  
22 die. They were -- they had me on a -- they had me on  
23 a cell phone, and all my family was in town.

24 Q. Which hospital, if I could?

25 A. Let me see. What was that? I believe

1 it was -- let me think now. I forget the name of it  
2 now. It's the one over in Anderson Township. I  
3 think it was Mercy.

4 Q. Okay. But it was in Anderson Town-  
5 ship?

6 A. Uh-huh.

7 Q. Okay.

8 A. And the doctors were pushing me to  
9 actually take her off of life support, and my family  
10 was all in town with me, like my aunts from her -- my  
11 mother's older sister and all this were in town at my  
12 house.

13 Q. Where was your house?

14 A. Deer Park then.

15 Q. In the Deer Park area --

16 A. Yes.

17 Q. -- of greater Cincinnati?

18 A. Yes. Some of my brothers and sisters  
19 were here at my house, too. It was pretty much all  
20 on my shoulders. And the doctors were saying, the  
21 way that this situation is going, we're going to need  
22 to hear from you for each procedure that we do. We  
23 have to have your okay on it.

24 Now, I know it sounds odd, but that's  
25 what the situation was. So I had a cell phone with

1 me that they had the number to call if they needed to  
2 do whatever they did.

3 Q. Okay. What does that have to do with  
4 your being in the Mohawk area of Cincinnati?

5 A. Well, I'm trying to get it all so it  
6 all ties up. We can start talking about it now or we  
7 can start talking in the middle of it, but -- how  
8 this ties in.

9 But, okay, what I'm doing in the  
10 Mohawk area. I have a business at that time that --  
11 well, I was like a jack of all trades for it. At  
12 that time I would have to drive long distances and  
13 wind up in other cities and have to know how to get  
14 from -- what would you call it? -- where I was to  
15 clients that were in different parts of the city.

16 Now, what I would do is I would  
17 practice in this city as if I didn't know the city,  
18 and I had a GPS at that time. Now everybody knows  
19 about GPS's; then not too many people knew. Then I  
20 had to practice, for one thing, because I was -- my  
21 mother's death was becoming so close to happening,  
22 but I still have to make a living.

23 And so what I was trying to do is be  
24 excellent with the GPS, and right around that area it  
25 would blank out. It would --

1 Q. But my first question is, what are you  
2 doing in that area in the first place? You said you  
3 lived in Deer Park and your mom was --

4 A. Okay. That's what I was going to tell  
5 you.

6 Q. Let me just say, we have to take turns  
7 talking.

8 A. Okay.

9 Q. Because he can't get us both at the  
10 same time.

11 A. Okay.

12 Q. You live in Deer Park; your mother was  
13 in Anderson Township. What are you doing in Mohawk?

14 A. As I was saying, I have to practice  
15 working with the GPS as if I don't -- as if I was in  
16 a different city. And as I went through that area,  
17 the GPS just went -- it went kind of haywire. And I  
18 was trying to figure out why it went haywire, and I  
19 was also trying to do something that the manual said  
20 you could do that all new GPS's do, which is route to  
21 something.

22 Okay. You want to get back to the  
23 original question: what were you doing in Mohawk?  
24 Okay. Well, it led me there and then it kind of died  
25 there, and I wanted to know why. Because in the next

1 week I would be in El Paso, Texas, and part of --

2 Okay. Let's see. It all follows.

3 Q. What do you mean that it led you  
4 there?

5 A. In order to practice, just like you  
6 were -- say you were doing any other the type of  
7 business, you have to set up scenarios about, okay,  
8 I'm going here. I wind up here or it's leading me  
9 here. And if it doesn't -- if I have a problem, it's  
10 better for me to know why I'm having a problem here  
11 than in El Paso. I need to know why and what to do  
12 about it, because I know the city.

13 Q. Why was it leading you to the Mohawk  
14 area of Cincinnati?

15 A. You know, it leads -- that's just one  
16 place that it led me at that particular time. It  
17 could have been anywhere.

18 Q. Didn't you have to type in a destina-  
19 tion?

20 A. Yes. But, see, the destination could  
21 have been -- I know at that time I was thinking  
22 Kentucky. There will be another section of time here  
23 that I'll have to tell you I was thinking Kentucky  
24 when I was sitting on this hillside, and I was trying  
25 to figure out what the manual said you should be able

1 to do about routing.

2 Okay. Let's see. I'll try to get  
3 back to answer your question.

4 Okay. What was I doing? To get from  
5 here to here, you have to go through other places,  
6 and that's just the way it was.

7 Q. Okay. Well, I need to follow up on  
8 that, because that's not entirely -- what was your  
9 point A and what was the point B that you were just  
10 referring to?

11 A. Well, after seven years, I can't even  
12 guess where it could be, but it wouldn't be unusual  
13 for me to say -- it's anyplace you pick, because I'm  
14 trying to do it in Cincinnati while where I know  
15 where I am and I'm going by the instruments alone.

16 Q. And what place did you pick?

17 A. I couldn't even guess. Let me see if  
18 I --

19 Q. You picked someplace in Mohawk?

20 A. No. At Mohawk the GPS kind of -- I'll  
21 describe it as kind of went haywire, and I needed to  
22 figure out why. And so I drove around the block to  
23 figure out why, when would it pick it up and what was  
24 making it do it. I believe it's the tall buildings,  
25 but I wasn't sure.

1 Q. What kind of GPS system was it?

2 A. Garmin.

3 Q. Do you remember the model?

4 A. StreetPilot.

5 Q. And how long had you had it prior to  
6 this day?

7 A. I can't even remember, because -- I  
8 don't know. I can't remember. It wasn't -- but with  
9 something like that, I mean, it seems -- the way  
10 technology's going now, they seem to be making things  
11 simpler and simpler. At that time when I got it, I  
12 would -- I could do something with it and then, the  
13 more I delved into it, the more I played with it, the  
14 more I would learn how to do something more.

15 Like when I first got it, I could put  
16 what they call a waypoint in it and I could find that  
17 waypoint. Later on I was able to do that with a  
18 computer and trans-- you know, have all my places I  
19 had to go and put names on them and things like that,  
20 but that didn't come right away. That only came from  
21 trial and error.

22 Q. But you don't remember where you were  
23 starting from or where you were going to. Is that  
24 your testimony today?

25 A. It could have been anywhere, you know,

1 because it's -- what I was trying to do -- okay.  
2 Like I say, I've got a -- I have a father in a  
3 nursing home. I have a mother dying. I'm trying to  
4 figure -- okay. Let me get to the point of why I'm  
5 doing all this.

6 Because in order to make money for my  
7 family, I would have to go to El Paso, Texas, and I'd  
8 have to do it in as quick a time as possible and get  
9 back, and I wasn't flying.

10 Q. What was in El Paso?

11 A. The business that we had was an adver-  
12 tising business, vinyl phone book covers, and the ads  
13 were all sold. We were trying to be able to get  
14 me -- okay. We were trying to get me in El Paso,  
15 done with the job, and back to Cincinnati as soon as  
16 possible.

17 Q. What was the job in El Paso?

18 A. Delivering vinyl phone book covers.

19 Q. Just physically delivering vinyl phone  
20 book covers?

21 A. That's the way the business works is  
22 we could mail them, we could Fed Ex them and stuff  
23 like that, but the way that gets us paid is when one  
24 of our people actually -- it's like a customer ser-  
25 vice representative -- goes to the door, knocks on

1 the door. And, you know, a lot of times people have  
2 questions or things like that and --

3 Q. These were vinyl phone pad covers --

4 A. Phone book covers.

5 Q. -- for the city of El Paso, Texas?

6 A. Yes.

7 Q. That already had ads on them?

8 A. Yes.

9 Q. For businesses within the city of El  
10 Paso?

11 A. That's correct.

12 Q. And they were manufactured up here?

13 A. Yes.

14 Q. In Cincinnati?

15 A. Yes.

16 Q. Was it your business to manufacture  
17 them?

18 A. Yes. Okay. And this is why the GPS  
19 and the things -- because in order to do that, I had  
20 to go to an exact address in a town that I have never  
21 been to. I had to get there from just an address.

22 Q. Okay. Let me ask you, where did you  
23 grow up?

24 A. In Cincinnati, Ohio.

25 Q. Were you born in Cincinnati?

1 A. Yes, sir.

2 Q. What high school?

3 A. Madeira.

4 Q. Where did you live as you were growing  
5 up in Cincinnati?

6 A. Madeira.

7 Q. Were you born in Madeira?

8 A. Yes.

9 Q. And you grew up and went to high  
10 school in Madeira?

11 A. Yes, sir.

12 Q. But you still don't remember, on the  
13 day in question, where you were going from or to that  
14 left you in the Mohawk area of the city of Cincin-  
15 nati?

16 A. See, that's the point. I had to simu-  
17 late as close as I could to being in El Paso with the  
18 advantage of knowing where I am, just as, you know,  
19 like if you were in the army --

20 And I've never been in the army or  
21 anything like that.

22 -- but just as you simulate war games  
23 or things like that, so that nobody gets killed with  
24 real bullets, but I'm trying to simulate getting from  
25 someplace that I know depending on the instrument

1 only. Even though I know where I am, I want the  
2 instrument to tell me where to go, because I have --  
3 I believe there were two sets in El Paso at that  
4 time, and I had to do both of them.

5 And at one point on the way to El  
6 Paso -- which I had to drive, as I say -- my aunt  
7 called me and said, "Your mother just looks so bad, I  
8 think we have to let her go." And then I got to El  
9 Paso and the doctors called me and said my mother  
10 died.

11 And then about --

12 Q. This is all after the day in question?

13 A. Yes, yes. But I want -- I want to  
14 tell you the intent of what I was doing. The intent  
15 was for me to be missing as short a time as possible.

16 Okay. So this is one other thing I  
17 want to add. Okay? Then after they said she died,  
18 they said "We brought her back." Okay? So which I  
19 knew that there would be -- I knew that the need for  
20 me to be in Cincinnati was very great, and I knew  
21 that I had to do whatever I could to make it as short  
22 a period of time out of town as possible.

23 Q. Okay. Back to the day in question.

24 A. Uh-huh.

25 Q. So you're following, you're telling

1 us, your GPS system.

2 A. Yes.

3 Q. And it led you into the Mohawk area of  
4 Cincinnati.

5 A. Yes, sir.

6 Q. I think you used the word the equip-  
7 ment went haywire, I think is the word you used.

8 A. Yes, uh-huh.

9 Q. Can you explain what you mean when you  
10 say it went haywire?

11 A. Pretty much -- if you're familiar with  
12 the GPS, it tracks you. It lets you know your speed  
13 and everything, and what you can expect to see down  
14 the road and things like that. And it pretty much  
15 acted as when they come out of a box when they don't  
16 know where it is and you pretty much have to start  
17 all over, which means that it has to find itself.

18 And it did there, and I knew that I  
19 couldn't -- if it did do that and I did certain  
20 things and it dumped its memory or something like  
21 that, or if I did certain things and it made it dump  
22 its memory trying to correct it, I wanted it to do it  
23 right there. I didn't want it to do it in El Paso.

24 So that's pretty much all I can say on  
25 that. Anything else you want to ask, I'll try to do

1 the best.

2 Q. Did you notice that the equipment was  
3 malfunctioning before or after you noticed Officer  
4 Hart?

5 A. Before I noticed her. Yeah.

6 Q. What made you notice her?

7 A. She walked up to my car.

8 Q. Where was your car at that point in  
9 time?

10 A. I was pulled over.

11 Q. Do you remember the street?

12 A. I don't remember the name of that. We  
13 kind of talked about that before. I could -- let me  
14 see, now. Because at one time I knew all this stuff.  
15 I wrote it all down.

16 Q. Have you been back to that area since  
17 this day, to those streets?

18 A. Yes. I went down several times,  
19 because I wanted to figure out exactly how far she  
20 walked up to my car and I wanted to see exactly how  
21 far it is. And I kind of wrote all this stuff down,  
22 and I don't have it with me now because it's been so  
23 many years and things.

24 Q. You say she walked up to your car?

25 A. Yes.

1 Q. And then what happened?

2 A. There were actually -- there were  
3 actually two meetings. There wasn't just one.

4 Q. Well, let's talk about this first one.

5 A. Okay. The first one, okay.

6 Q. What happened after she walked up to  
7 the car?

8 A. She said, "Are you looking for this,  
9 looking for that? And I said, "No. I'm just driving  
10 around."

11 Q. Okay.

12 A. And then I drove off.

13 Oh, no. On the way off she said --  
14 let's see what she said. Something "I don't have  
15 time for this," something or other like that.

16 Q. And then you said you drove off?

17 A. Uh-huh.

18 Q. Before you said you drove around the  
19 block. Is this before or after you drove around the  
20 block?

21 A. Let's see. I think it's kind of  
22 during. During.

23 Q. So you'd been there once and are you  
24 saying like the first time around the block is when  
25 you spoke to Officer Hart or she walked up to your

1 car?

2 A. She walked up to the car and said, "Do  
3 you want to do this? Do you want to do that?" And I  
4 said, "No. I'm just driving around."

5 And then she said something that indi-  
6 cated that she had, you know, kind of like a bad  
7 temper, because I didn't go for what she was saying.

8 Q. Okay. And you drove off where?

9 A. I drove somewhere away from there, but  
10 it wound up like, I would say, 60 yards and a safe  
11 place to park.

12 Q. So you pulled about 60 yards away --

13 A. Uh-huh.

14 Q. -- and you parked?

15 A. Uh-huh.

16 Q. And what did you do when you parked?

17 A. Well, at that point I had -- I thought  
18 that it probably much was the tall buildings that was  
19 doing that, and I was basically going to chalk it up  
20 to that. Then I was working on this feature that  
21 they have called -- when I was sitting at this -- it  
22 was on this hill and next to a church and legally  
23 parked and everything. I was trying to do what they  
24 now call --

25 Let me see. What is it?

1 Well, it basically means that you're  
2 laying in a -- oh, jeez. I know the name. You're  
3 laying in a route, a route for you to get somewhere.  
4 And by looking at the screen to do it, not by my  
5 knowledge to do it at that point.

6 That's where I was thinking Kentucky.  
7 I wanted to see on the screen the roads that led  
8 there, and I wanted it to put it in and I wanted to  
9 go by that.

10 I was never, ever successful doing  
11 that, and I think -- even though they said you could,  
12 and now the new models do it automatically.

13 Q. Okay. Have you ever hired a prosti-  
14 tute in your life?

15 A. Have I ever hired a prostitute? I  
16 wouldn't think of it that way.

17 Q. What are you thinking of?

18 A. I would never just pay some girl like  
19 that, no. But I've had situations that were -- what  
20 would you call it? You know, people that I knew  
21 that -- it was less than a love affair. I should put  
22 it that way.

23 Q. But you shared money with them?

24 A. I have -- I have helped them out in  
25 some ways. Not like that, though.

1 Q. Can you describe what you mean? What  
2 are you describing when you say, I think, less than a  
3 love affair, or words to that effect? What do you  
4 mean?

5 A. Well, I don't -- I'm trying to be --  
6 I'm trying to -- ladies these days are sometimes -- I  
7 don't know. Okay. That's about the best I can do, I  
8 think. You know, less than a love affair, but --  
9 what would you call it?

10 Q. But it sounds like you have provided  
11 money in return for sex in some way?

12 A. I wouldn't say that. I wouldn't say  
13 that. There's a lot of ways you can take that, you  
14 know. And I'd have to say my answer, to the best I  
15 can say, would probably be no.

16 Q. No to the question "Have you ever  
17 hired a prostitute?"

18 A. Right, yes.

19 Q. But it sounds like you also said  
20 you've shared money with somebody who you might not  
21 consider a prostitute. Is that why you're hesitat-  
22 ing?

23 A. You know, there's always shades of  
24 gray. And, you know, someone would say I've had --  
25 I've had girlfriends that, when you bought them

1 things, they were a little bit friendlier. Now,  
2 that's what I would say, yes.

3 Q. Have you ever had any girlfriends who  
4 were prostitutes?

5 A. Not that I know of.

6 Q. Have you ever met a stranger and  
7 picked them up while you were riding around in your  
8 car?

9 A. A stranger. I'm trying to think. I  
10 don't really -- I'm trying to think now. Have I ever  
11 met a stranger and picked them up?

12 Q. Well, have you ever picked up a woman  
13 on the street from your car?

14 A. I don't think, if I didn't know them,  
15 I did. But I know a lot of people, and I don't think  
16 so. Sometimes I have been in situations where people  
17 that I know have put me in a position where like two  
18 or three people got in the car, and that's about as  
19 close as I can think of, you know.

20 Q. Have you picked up women in bars?

21 A. No.

22 What do you mean picked them up in  
23 bars?

24 Q. Well, have you gone to a bar with the  
25 intent to find a woman?

1           A.    Well, maybe I didn't make it clear  
2   that, you know, my other profession is I'm an enter-  
3   tainer. And I spend a great deal of time in bars,  
4   but not like that ever.

5           Q.    Have women approached you while you've  
6   been working in the bars with the intent of having a  
7   sexual liaison with you of some kind?

8           A.    Yes, several. But, you know -- and  
9   that's where kind of the line gets a little bit gray,  
10  is --

11                Now, the other thing is, you can think  
12  that you're just with somebody and, the next thing  
13  you know, they're, Well, let's go get this, let's go  
14  get that, and you're saying, holy Jesus, I've spent  
15  \$60, you know. You know, that's about all I can say,  
16  is things are a little bit grayer now than they used  
17  to be, I would have to say. And that's about it.

18           Q.    Have you ever gone to the adult clubs  
19  where --

20           A.    No. Adult clubs?

21           Q.    Adult clubs where women dance and  
22  strip.

23           A.    No.

24           Q.    Tell us a little bit more about what  
25  you're calling gray. It sounds to us like you've

1       been involved in matters that you're calling gray.  
2       So what are those?

3               A.     What are the areas that I'm calling  
4       gray?

5               Q.     Right.

6               A.     Oh, I just think that --

7               Q.     Insofar as your relationships with  
8       women.

9               A.     Oh. Well, I'm not actually talking  
10       about so much mine. I'm just -- you know, some of my  
11       peers even. When they -- a lot of women will let you  
12       think that you're going out with them and you wind up  
13       going out and, the next thing you know, you're going  
14       to -- they're taking you places where you're paying a  
15       lot of money for food and you're paying a lot of  
16       money for stuff and, before you know it, you spent a  
17       lot more money than you expected to spend. And that  
18       would be -- I don't know.

19              Q.     Are you aware that there are men who  
20       drive to certain parts of Cincinnati and pick up  
21       prostitutes?

22              A.     Uh-huh, uh-huh.

23              Q.     You need to answer like yes out loud  
24       so he --

25              A.     Yes. I'm sorry. I'm sorry. Yes.

1 Q. And do some of your peers do that?

2 A. I don't think so. They -- my peers, I  
3 would feel, did not do that.

4 Q. How are you aware that there are men  
5 who drive to certain parts of Cincinnati and pick up  
6 prostitutes?

7 A. It's all over the news, all over the  
8 news.

9 Q. You read that it occurs?

10 A. Yes. And as well as many other  
11 things. I read the current, you know, like whatever,  
12 you know, all kinds of things.

13 Q. But let's go back to when you were 60  
14 yards away after you say that Police Officer Hart had  
15 walked up to your vehicle and then you drove 60 yards  
16 away. What did you do then after you were 60 yards  
17 away?

18 A. Well, at that point I went back to  
19 trying to lay in a route.

20 Q. Right. You explained that. How long  
21 did that take, about?

22 A. Like I told you, I was never success-  
23 ful with that. But I was in an area that I felt was  
24 safe, that I wasn't exactly -- I was not illegally  
25 parked, and I wasn't exactly familiar with. And I

1 had the GPS lined up north and south, and I knew what  
2 was north and south, and I was trying to do this  
3 route, and that's when Ms. Hart walked up across the  
4 street and up the hill to my car.

5 Q. So you could see her from where you  
6 stopped the car 60 yards away, it sounds like.

7 A. I could see her if I was looking for  
8 her, but really I was trying to do -- I couldn't -- I  
9 couldn't see her well. I couldn't see anything that  
10 she was saying or what she was doing or anything like  
11 that.

12 Q. Do you remember how she was dressed  
13 that night? That day, excuse me. I keep forgetting  
14 it was during the day.

15 A. She wasn't dressed very well.

16 Q. Can you describe it?

17 A. Well, it's been seven years. But just  
18 not dressed very well.

19 Q. A dress or pants, or skirt, top? Do  
20 you remember?

21 A. I wonder if she remembers how she was  
22 dressed. But let's see. I would have to say just --  
23 I believe there was a long shirt. A long shirt is  
24 all I can remember.

25 Q. What month was this?

1           A.    Well, I remember that -- I'm not sure,  
2   but I remember it was a warm day.

3           Q.    And you kind of recall her wearing a  
4   long shirt?

5           A.    Uh-huh.

6           Q.    Like was it a minidress?

7           A.    No, no, no. It was -- I don't remem-  
8   ber anything about the pants. I don't remember any-  
9   thing about -- all I remember was like a long -- it  
10   was like a flannel shirt that she had.

11          Q.    And then, you said before, you saw her  
12   walking towards your vehicle. Is that what you said?

13          A.    No.

14          Q.    Okay.

15          A.    I looked up, and she was knocking on  
16   my window.

17          Q.    You saw her for the first time when  
18   she knocked on your window?

19          A.    No. I didn't say the first time.

20          Q.    Okay.

21          A.    As I said, there were two meetings.

22          Q.    Okay. Just so we're clear for the  
23   record, you had pulled 60 yards away.

24          A.    Uh-huh.

25          Q.    You were sitting there.

1 A. Yes.

2 Q. I thought you said that you observed  
3 her walking up towards your car.

4 A. No. I said she would have had to do  
5 that to get from where she was to where I was.

6 Q. Okay. So explain what happened next.

7 A. Next. Well, she tapped on my window  
8 and I said something like, "Can I help you?" I  
9 thought she was trying to get me in trouble. And I  
10 said, "Can I help you, Officer," or something like  
11 that. And she says -- she saw the GPS, which was  
12 glowing there.

13 Q. I'm sorry. Did you say, "Can I help  
14 you, Officer?"

15 A. I thought I said that. I'm not sure.

16 Q. You thought she was a police officer?

17 A. I thought, you know, she was trying to  
18 get me in trouble. And --

19 Q. Why did you think that?

20 A. Because I was all the way up the  
21 street and she came up to where I was.

22 Q. But isn't that consistent with her  
23 being a prostitute looking for business?

24 A. I don't know. I just know that -- you  
25 know, at that point I really was right in the middle

1 of what I was doing and I didn't want to be really  
2 disturbed by it.

3 And she said, "What's all this?" And  
4 then, just like now, I started to tell her it's a GPS  
5 thing and it helps me find where I'm going and things  
6 like that, you know, which I think it was such -- at  
7 that time, and even now, I think it's such a neat  
8 technology that I would -- I talked maybe a tad more  
9 than I would have just somebody walking up and saying  
10 something else. I pretty much told her what it was,  
11 I think, as I can recall.

12 Q. Okay. And then what happened? What  
13 did she say to you?

14 A. Let's see. Let me think. What did  
15 she say there?

16 Q. Did she walk away?

17 A. She said something to me, and I indi-  
18 cated that I was busy with what I was doing. And  
19 then she said a cussword at me and walked off. She  
20 said, "You're F'ed."

21 Q. Okay. And she walked off?

22 A. Uh-huh.

23 Q. And then what did you do?

24 A. I just kept working with what I was  
25 doing.

1 Q. Okay. Then what?

2 A. I thought that was the end of it.

3 Q. How long did you stay at that spot  
4 about 60 yards away, roughly?

5 A. I can't really tell you. I would say  
6 somewhere between ten and 15 minutes, something like  
7 that.

8 Q. Then what did you do?

9 A. Well, I was still working with the  
10 GPS. I was still trying to do the route. And then  
11 there was a tall officer and a woman behind me, and  
12 the officer got out and says, "You're under arrest  
13 for loitering for the purpose of prostitution, and  
14 we've got everything you said on tape."

15 Q. And who was that, did you say? Was  
16 that a tall male officer?

17 A. Yes, yes.

18 Q. Do you know who that was?

19 A. I don't know his name.

20 Q. You have not filed a lawsuit against  
21 that officer?

22 A. If I knew his name, I would have.

23 Q. But you did not file?

24 A. No.

25 Q. And you said there was another

1 officer, also?

2 A. I don't know. See, I didn't know if  
3 these were officers. They were in plain clothes, so  
4 I just -- you know, I would have to guess that the --  
5 there was a woman that was with them and --

6 Q. So two in total? I mean in addition  
7 to Officer Hart, there were two others you're de-  
8 scribing for us. Is that correct?

9 A. Yes.

10 Q. Okay. And you believe they were  
11 plainclothes officers?

12 A. Yes.

13 Q. But, again, you didn't sue either one  
14 of them in this lawsuit?

15 A. You know what? The only reason, I  
16 didn't have any way of getting their names. So I  
17 attempted to sue the whole bunch of them, but I had  
18 no way of getting names from people who are dressed  
19 in plain clothes. The reason I have Officer Hart's  
20 name is because she was on the lawsuit.

21 Q. Okay.

22 A. I mean she was on the Complaint.

23 Q. The criminal Complaint?

24 A. Yes.

25 Q. Is that what you're describing?

1 A. Uh-huh.

2 Q. Against you?

3 A. Yes.

4 Q. So what did the male officer say when  
5 he approached?

6 A. He says, "You're under arrest for" --  
7 How is it? Let me see now.

8 -- "loitering for the purpose of pros-  
9 titution." He said, "We have everything on tape,  
10 everything you said on tape."

11 Q. And where was Officer Hart when he  
12 said that?

13 A. I don't know.

14 Q. She had walked away?

15 A. Yes.

16 Q. And what did the other female plain-  
17 clothes person --

18 A. I don't know. See, because at that  
19 point --

20 Q. But did she say anything to you, is my  
21 question.

22 A. I don't believe so. I didn't notice  
23 her saying anything.

24 Q. So he's the one who put you under  
25 arrest?

1           A.    Well, you might think that, but, there  
2   are some things that happened later that made me know  
3   that there was a lot more of them in hiding.

4           Q.    Well, we'll get to that.

5           A.    Okay.

6           Q.    But let's finish with this.

7           A.    Well, it's hard to talk about -- when  
8   you're talking about plainclothes policemen hiding  
9   and making you think that there's no one there when  
10  actually there's a big large group of them somewhere,  
11  you know, it's hard to talk about what you saw or  
12  what you thought you saw without talking about what  
13  you now know was different than that.

14                  Okay. I'm sorry.

15           Q.    Well, what did you think you saw at  
16  the time?

17           A.    What I thought I saw at the time?

18           Q.    And what did you think you heard at  
19  the time?

20           A.    Well, I'll tell you what. I thought  
21  that I was on a lazy -- it was either a -- early in  
22  the week, Monday, Wednesday day, and there was no one  
23  around me. It was sunny. And -- and that's what I  
24  thought it was, that kind of day. But actually what  
25  had happened was that I was -- I now know that I was

1 in the middle of a high surveillance sting. I didn't  
2 know that then. And they --

3 Okay. Let's see. Okay. Ask your  
4 questions, because I'm in -- there's so many things,  
5 it throws me off to think about them all.

6 Q. After Officer Hart walked away, what  
7 other contact did you have with her?

8 A. Well, it's hard to say, because --

9 Q. Well, she was not standing there, you  
10 said, when the male and the female plainclothes --

11 A. Right.

12 Q. -- officers approached you.

13 A. Right, that's correct.

14 Q. So when is the next time you saw her?

15 A. You know, at that point I'm not sure  
16 if I ever saw her again.

17 Q. Okay.

18 A. But I did see another female officer,  
19 and I think she was plainclothes, too, but it's been  
20 seven years. I'm trying to tell you to the best of  
21 my memory.

22 Q. Right. That's fine.

23 A. Okay? And the -- well, okay. The  
24 tall officer said to me, "We've got everything that  
25 was said on tape." And I said, "Good. Because

1 you'll find that I didn't say anything. I didn't do  
2 anything illegal." So they --

3 You want me to tell you what happened,  
4 or you just want to ask questions?

5 Q. No. Go ahead. Tell us.

6 A. Okay. So they -- oh, there was an-  
7 other female officer. There was another female  
8 officer.

9 Q. You mean two others? Is that what  
10 you're saying?

11 A. You know, I don't know.

12 Q. There was at least one other?

13 A. Yes.

14 Q. Maybe two, but at least one?

15 A. Okay.

16 Q. Is that right? I mean, I'm asking.

17 A. Well, yes. But one was in, I think --  
18 I'm not sure if she was in plain clothes or not. But  
19 she came up and she took the GPS glowing in my hands  
20 and had it in her hands glowing, and she said --

21 They got in my car. They searched my  
22 car. They were trying -- they were trying to find  
23 whatever they could find on me, but there was nothing  
24 to find. I don't do drugs and that type of thing.

25 And so they got done. The officer got

1 in my car and for some reason moved it down the hill  
2 and then moved it back up the hill, and then basi-  
3 cally parked it about the same way it was. Now, I  
4 don't know why this happened. Then she took the GPS  
5 and --

6 Q. Who is "she"?

7 A. I don't know who she is.

8 Q. But not Officer Hart?

9 A. I don't think so, no.

10 Q. No. It was somebody else.

11 A. No, another female officer. At that  
12 time there were at least three or four other people  
13 around me. Oh. And another police vehicle pulled  
14 around, right around to pick me up.

15 Q. Were you handcuffed?

16 A. I can't remember. I probably was,  
17 but -- because there was another person in the car  
18 with me.

19 Q. You were placed in a squad car?

20 A. Yes.

21 Q. But you don't remember if you were  
22 handcuffed or not?

23 A. I just can't remember now. I think I  
24 was.

25 Q. Have you ever been arrested before for

1 anything in your whole life?

2 A. Not really. I've had -- I had a  
3 little trouble last year with -- if you really want  
4 to talk about it like this. Child support decided to  
5 add an extra year onto my 25-year-old son's account,  
6 and I didn't think that was right, so I was a little  
7 lax in paying that. I mean, he was literally like 24  
8 years old then.

9 And then I have a daughter that was  
10 giving me a little trouble, and I called the police  
11 and they took me to jail. And then I had --

12 Q. This is last year, you're saying?

13 A. Yeah. And I paid the fine and that's  
14 pretty much the end of that. So if you want to call  
15 that --

16 Q. In your whole life those are the only  
17 times where you've had encounters with law enforce-  
18 ment, in addition to what's the subject of this  
19 lawsuit?

20 A. I would -- let's see.

21 Q. I mean, if we search the records and  
22 get all the information on Gradual Taylor, what are  
23 we going to find that you've been arrested?

24 A. I don't think so.

25 Let's see. I've had traffic things,

1 but not too much. I've had -- at one point I had a  
2 brother that was giving me nightmares, but I don't  
3 think anything became of that.

4 Q. Were you arrested insofar as your  
5 behavior with your brother was concerned?

6 A. Yes. At one point I was arrested, but  
7 what it was, was he did something that justified me  
8 getting my daughter and the woman that I was living  
9 with out of an area that he was -- well, it was in my  
10 parents' house. I sprayed with him with mace so we  
11 could get out, and then we went to court.

12 Q. When was this?

13 A. This was -- jeez. Let me see.  
14 Probably my daughter was six. She's 18. Probably 12  
15 years ago. And it was found that I was justified in  
16 what I did, because he -- I had like a six-year-old  
17 daughter and he had a drinking problem, and it turned  
18 out that what happened was he got fired that day and  
19 he came home to take it out on me. I had no idea.  
20 Even into court I had no idea that that's why he was  
21 going wild that day. And that's -- that's about it.

22 Q. Have you ever been convicted of any  
23 offense?

24 A. No.

25 Q. Let's go back to your driving in the

1 Mohawk area on the day in question.

2 A. Yeah. We'll do that if you want, but  
3 I'd really rather we got out what happened, you know,  
4 from the arrest. Because we're right in the --

5 Q. Well, let me finish this.

6 A. Okay, okay.

7 Q. I'm the one asking the questions.

8 A. Okay.

9 Q. You said that you drove around the  
10 block once.

11 A. I didn't say how many times.

12 Q. Okay. How many times did you drive  
13 around the block?

14 A. I don't know. I don't remember at  
15 this time.

16 Q. More than once? It was at least  
17 once --

18 A. Uh-huh, uh-huh.

19 Q. -- from what you describe.

20 A. Uh-huh.

21 Q. It sounds like it was more than once.

22 A. I don't know. I mean, after seven  
23 years, I just can't tell you. I -- I don't know,  
24 but --

25 Q. Well, you said that the GPS went